

Notice of Allowability

Application No.

09/630,834

Examiner

Cristina Owen Sherr

Applicant(s)

YUYAMA, SUMIO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After-final amendment filed September 11, 2006.
2. ☒ The allowed claim(s) is/are 1-12, 14-20 and 23-33.
3. ☒ The drawings filed on 02 August 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

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1. This communication in response to the applicant's after-final amendment filed amendment filed September 11, 2006. Claims 1-12, 1420, and 23-33 are currently pending in this case.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claim 1 –

“... when a user's property information is input ...”
changes to:

“... when a user's property information relative to assets for which a purchase or sale is to be determined is input ...”

4. Authorization for this examiner's amendment was given in a telephone interview with Kenneth Watov, reg. no. 26,042 on October 13, 2006.

Reasons for Allowance

5. The following is an examiner's statement of reasons for allowance:

The closest prior art of record shows:

(1) S.E.C. registered individual account investment advisor expert system
(Ray et al US 6,018,722A);

... property information relative to assets for which a purchase or sale is

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- (2) a financial advisory system (Jones et al US 6,021,397A);
- (3) a method for managing financial accounts by a preferred allocation of funds among accounts (Atkins US 5,852,811A);
- (4) a computer-implemented program for financial planning and advice system (Moran US 6,430,542B1);
- (5) an apparatus for playing a game (New Media Works Ltd., GB 2 363 081 A);
- (6) a network-based virtual commodity exchange (International Business machines Corporation WO 01/14994A2);
- (7) a multi-broker connectivity system, an online trading system utilizing the same, a multi-processing-system networking system, and the methods therefore (Bi, WO 00/54191);
- (8) Online Trading Takes Off (US Banker, v 107, n 5, p 81+, May 1997);
- (9) The (virtual) trade (Lim, Paul J.; Money v1n1 (money.com Supplement) pp: 26-29+, Summer 1998);
- (10) computer-implemented securities trading system with a virtual specialist function (Keiser et al US 6,505,174B1);
- (11) an automated system for providing liquidity to securities markets (Lupien et al US 5,101,353A).

6. Applicant's set of claims consists of claims 1-12, 14-20, 23-26 and 27-33.

7. Independent claim 1 is directed at an asset management advice system. This claim identifies the uniquely distinct feature of permitting the user to choose to make

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either a real transaction in which s/he actually purchases or sells actual assets in real time or a virtual transaction in which s/he does not make an actual asset transaction and the results are followed to see the market results had those assets actually been traded, in combination with real-time investment advice. Since nothing in the prior art appears to teach or suggest a product in which the user can go back and forth at will between real and simulated transactions, independent claim 1 and its dependent claims 2-12 are deemed allowable.

8. Independent claim 14 is directed at an asset management advice system comprising, *inter alia*, an animation character being set for each investment scenario. This claim identifies the uniquely distinct feature of permitting the user to choose to make either a real transaction in which s/he actually purchases or sells actual assets in real time or a virtual transaction in which s/he does not make an actual asset transaction and the results are followed to see the market results had those assets actually been traded, in combination with real-time investment advice. Since nothing in the prior art appears to teach or suggest a product in which the user can go back and forth at will between real and simulated transactions, independent claim 14 and its dependent claims 15-20 and 23-26 are deemed allowable.

9. Independent claim 27 is directed at a recording medium recording an asset management advice program. This claim identifies the uniquely distinct feature of permitting the user to choose to make either a real transaction in which s/he actually purchases or sells actual assets in real time or a virtual transaction in which s/he does not make an actual asset transaction and the results are followed to see the market

results are followed to see the market results had those assets

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results had those assets actually been traded, in combination with real-time investment advice. Since nothing in the prior art appears to teach or suggest a product in which the user can go back and forth at will between real and simulated transactions, independent claim 27 and its dependent claims 28-33 are deemed allowable.

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cristina Owen Sherr
Patent Examiner, AU3621

 9/16/06

ANDREW J. FISCHER
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